

**PB#90-16**

**BOSS GLASS IND.  
WITHDRAWN**

**SBL 4-3-10.12**

Withdrawn 4/27/95

# General Receipt

11295

**TOWN OF NEW WINDSOR**

555 Union Avenue

New Windsor, N. Y. 12550

April 6, 1990

Received of Boas Glass Industries, Inc. \$ 25<sup>00</sup>/<sub>100</sub>

Twenty-five and <sup>00</sup>/<sub>100</sub> DOLLARS

For P.L. Bd. Application Fee (#90-16)

## DISTRIBUTION

FUND	CODE	AMOUNT
Check # 2644		\$ 25 <sup>00</sup> / <sub>100</sub>

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline B. Townsend

Town Clerk

Title

# General Receipt

11297

**TOWN OF NEW WINDSOR**

555 Union Avenue

New Windsor, N. Y. 12550

April 6, 1990

Received of Pauline B. Townsend, Town Clerk \$ 750.00

Seven Hundred Fifty and <sup>00</sup>/<sub>100</sub> DOLLARS

For P.L. Bd. Site Plan Minimum (#90-16)

## DISTRIBUTION

FUND	CODE	AMOUNT
Check # 2645		\$ 750 <sup>00</sup> / <sub>100</sub>

Williamson Law Book Co., Rochester, N. Y. 14609

By Susan Zappala

Deputy Controller

Title

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/27/95

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 90-16

NAME: BOSS GLASS INDUSTRIES FACILITY  
APPLICANT: BOSS GLASS INDUSTRIES

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/06/90	SITE PLAN MINIMUM	PAID		750.00	
03/20/95	ENG. FEES TO DATE	CHG	138.50		
04/27/95	TO CLOSE FILE	CHG	611.50		
		TOTAL:	750.00	750.00	0.00

WILLIAM C. SQUIRES, P.E.  
Consulting Engineer  
11 Ashwood Terrace Newburgh, New York 12550  
(914) 561-3299 Fax (914) 565-1353

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March 14, 1995

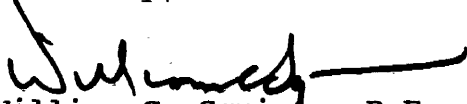
Mrs. Myra Mason  
Planning Board  
Town of New Windsor  
555 Union Avenue - Town Hall  
New Windsor, NY 12553

Re: Boss Glass  
335 Temple Hill Road  
New Windsor, NY 12553

Dear Mrs. Mason:

It is my understanding that the Site Plan Application and Zoning Board of Appeals Application filed by Boss Glass in 1990 is still an open file. I request that this file be closed, as Boss Glass is bankrupt, and I am withdrawing the application.

Sincerely,

  
William C. Squires, P.E.  
W. C. Squires Consulting Engineers

WCS/js

\$ 611.50

3/15/95 CW

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/27/95

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
W [Disap, Appr]

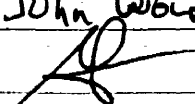
FOR PROJECT NUMBER: 90-16

NAME: BOSS GLASS INDUSTRIES FACILITY

APPLICANT: BOSS GLASS INDUSTRIES

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/15/95	RECEIVED LETTER	WITHDRAWN
09/24/90	P.B. REFERRAL	SENT TO Z.B.A.
06/27/90	P.B. APPEARANCE	NEED NEW PLAN-TO ZBA
04/03/90	WORK SESSION APPEARANCE	SUBMIT APPLICATION

10/27/94 Boss Glass meeting w/ TNW -

Name:	Address:	Tel. #
John Wolf	ETS SHORE RD CORNWALL-ON-HUDSON	584 6750
	T/NEW WIND	
Bill Squires	11 Ashwood Terr Newburgh	561-3299
MICHAEL BABCOCK	T/O NEW WINDSOR	
Jim PETRO	T/O NEW WINDSOR	565-1211
ORESTE MIHALY	ETS SHORE RD CORNWALL-ON-HUDSON	534-6741
BOB SCHEPPENL	100 Triangle Plaza, Hamman	782-6500
Pat Barnhart	ZBA Sec.	563-4630
	for Jim Nugent.	

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 90-16

REVISED  
DATE: NOV. 26, 1990

APPLICANT: Boss Glass Industries

335 Temple Hill Rd.

New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED \_\_\_\_\_

FOR (~~SUBDIVISION~~ - SITE PLAN) BOSS GLASS INDUSTRIES

LOCATED AT N.Y.S. ROUTE 300

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: #4 BLOCK: #3 LOT: #10.12

FOR MANUFACTURING FACILITY

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

VARIANCE REQUIRED FOR INSUFFICIENT FRONT  
YARD TO WEMBLV RD. EXT. AND INSUFFICIENT  
PARKING

  
PLANNING BOARD CHAIRMAN  
CARL SCHIEFER



<u>REQUIREMENTS</u>	<u>DOES NOT REFER TO EXISTING NON-CONFORMANCE</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>PI</u> USE <u>#15</u>			
MIN. LOT AREA	<u>40,000 SF</u>	<u>415,856</u>	<u>—</u>
MIN. LOT WIDTH	<u>150 FT.</u>	<u>835.03</u>	<u>—</u>
	<u>50 FT.</u>	<u>43.3</u>	<u>6.7 FT.</u>
REQ'D FRONT YD	<u>50 FT.</u>	<u>49.3</u>	<u>0.7 FT.</u>
REQ'D SIDE YD.	<u>15 FT.</u>	<u>NO SIDE YDS</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>40 FT.</u>	<u>NO SIDE YDS</u>	<u>—</u>
REQ'D REAR YD.	<u>20 FT.</u>	<u>61.3</u>	<u>—</u>
MAX. SINGLE BLDG. SIZE	<u>45,000</u>	<u>126,485</u>	<u>81,485</u>
(PER 48-21-J-(3)-(c) and 48-21-J-(3)-(b) )			
MAX. BLDG. HT. <sup>6"</sup> PER <sub>FT.</sub>	<u>21.65 FT</u>	<u>24 FT.</u>	<u>2.35 FT.</u>
FLOOR AREA RATIO	<u>0.6</u>	<u>.39</u>	<u>—</u>
MIN. LIVABLE AREA	<u>NA</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>NA</u> %	<u>—</u> %	<u>—</u> %
O/S PARKING SPACES	<u>335</u>	<u>203</u>	<u>132</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, ~~P.B. ENGINEER~~

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 90-16

DATE: 21 SEPT '90

APPLICANT: Boss Glass Industries

335 Temple Hill Rd.

New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED \_\_\_\_\_

FOR (~~SUBDIVISION~~ — SITE PLAN) BOSS GLASS INDUSTRIES INC

LOCATED AT N.Y.S. ROUTE 300

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: #4 BLOCK: #3 LOT: #10,12

FOR MANUFACTURING FACILITY

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

VARIANCE REQUIRED FOR INSUFFICIENT

FRONT YARD TO WEMBLEY RD. EXT AND

INSUFFICIENT PARKING

  
PLANNING BOARD CHAIRMAN  
CARL SCHEIFER

DOES NOT REFER TO PROPOSED OR  
REQUIREMENTS EXISTING NON-CONFORMING AVAILABLE VARIANCE  
REQUEST

ZONE PI USE #15

MIN. LOT AREA	<u>40 000 SF</u>	<u>415,856</u>	<u>—</u>
MIN. LOT WIDTH	<u>150 FT</u>	<u>835.03</u>	<u>—</u>
REQ'D FRONT YD	<u>50 FT</u> <del>50 FT</del>	<u>43.3</u> <del>49.3</del>	<u>6.7 FT</u> <u>0.7 FT</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>NO SIDE YDS</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>40 FT.</u>	<u>NO SIDE YDS</u>	<u>—</u>
REQ'D REAR YD.	<u>20 FT.</u>	<u>61.3</u>	<u>—</u>
REQ'D FRONTAGE	<u>N-A</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT. <u>6" PER FT.</u>	<u><del>EXISTING</del> 21.65</u> <u>2.35</u>	<u><del>EXISTING</del> 24</u>	<u>— 2.35 FT</u>
FLOOR AREA RATIO	<u>0.6</u>	<u>.39</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N-A</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>N-A</u> %	<u>—</u> %	<u>—</u> %
O/S PARKING SPACES	<u>335</u>	<u><del>107</del> 203</u>	<u><del>228</del> 132</u>

# 14  
 APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
 (914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

BOSS GLASS SITE PLAN - ROUTE 300 (90-16)

Mr. Bill Squires came before the Board representing this proposal.

MR. SQUIRES: I am here to try and unravel a problem which occurred over a number of years. Boss Glass is the current occupant of the old Insulpane building.

MR. MC CARVILLE: When you say occupant, owner occupant?

MR. SQUIRES: No, they are at this time paying rent. They anticipate to buy the facility but will not buy the facility until the violations that are existing are corrected.

MR. PAGANO: The parking lot will be paved?

MR. SQUIRES: Parking lot will be paved.

MR. PAGANO: Piles of dead wood?

MR. SQUIRES: Will be removed.

MR. MC CARVILLE: I think what we should be looking at, you should have the site cleaned up, it is a disgrace to the Town of New Windsor. The weeds are overgrown, doesn't take much to cut those weeds out of there and keep it looking nice. There is debris from one end of the lot to the other. The westerly end is continuously piles of pallets and wood and other debris there on weekends, it is just not maintained at all. WE are here, you want us to help you correct your problems yet nobody seems to be taking care of the property to begin with.

MR. SQUIRES: There is a couple of interesting catch 22's. One being Boss Glass doesn't own the property that impedes certain of the areas they also because they do not have an approved site plan for the various expansions that were done, we cannot get a building permit to construct things like a refuse area to hide the pallets so we are kind of going around with each other.

MR. PAGANO: You don't need a site plan for a rake and a lawn mower.

MR. SOUKUP: How long have they been in there operating?

MR. VAN LEEUWEN: Year and a half.

MR. SQUIRES: Yes.

MR. SOUKUP: Have you seen it in that year and a half or when

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they first moved in? Where you familiar with it?

MR. SQUIRES: Yes.

MR. SOUKUP: Do you think that they have done any cleaning up in the year they have been there, they have graded off the front parking lot a little bit.

MR. SQUIRES: I can't say that they have.

MR. SOUKUP: A year is a long time to live with it if they are really interested in cleaning it up.

MR. MC CARVILLE: Being a tenant is no reason to keep the lawn and the building looking like that.

MR. VAN LEEUWEN: We understand that you can't put the parking lot in but I tell you one thing that I would propose, let's go ahead and go to the Zoning Board but we want that place spotless in less than 30 days cleaned up if we don't, don't bother coming back.

MR. PAGANO: I would send him to the Zoning Board with a notice to the Zoning Board unless that place is shaped up that they not act on it.

MR. VAN LEEUWEN: Let's not pussy foot about this damn thing, it is a mess, it is a disgrace. What we are trying to do is clean up the town, not make it worse.

MR. SQUIRES: I think that is what Boss Glass wants to do, they are a, in an awkward position of being a tenant.

MR. SOUKUP: They are not just--plain pallet removed is an operating cost, not a capital cost and they have been there over a year with the same pile that was there when they moved in.

MR. VAN LEEUWEN: They moved the piles.

MR. SOUKUP: Removal is not a capital cost, clean up is not a capital cost, that is an operating cost. They haven't done much of that in a year and a half they have been there.

MR. SOUKUP: Have you been down there?

MR. SQUIRES: Periodically.

MR. VAN LEEUWEN: Do me a favor tonight, make a left out of this driveway and just go down and walk the property. And you come back here and tell me if I am wrong.

MR. SQUIRES: I have been around the property, I know what you are talking about.

MR. SOUKUP: Your plan doesn't reflect the secondary use of the property, there is a tenant as well as them.

MR. SQUIRES: Here, no, there is not tenant in there.

MR. SOUKUP: There was not any?

MR. SQUIRES: There is not anymore.

MR. SOUKUP: I apologize, there was.

MR. SQUIRES: Within that month they have taken that out.

MR. VAN LEEUWEN: We have no problem working with you but they have to work with us, it's been a concern of this Board for the last four years and we told Wexdel the same thing. He'd clean it up and three weeks, a month later, same way it was because there are people sitting out in their cars and they throw the papers on the ground and walk away.

MR. MC CARVILLE: There is not one exterior trash receptacle on the premises. Go out and everything is on the parking lot, it is not policed. The lawn is not even mowed, the weeds aren't even cut, very simple.

MR. VAN LEEUWEN: The wind comes and blows the trash, it is not fair.

MR. MC CARVILLE: We have had this conversation so I--

MR. SQUIRES: There is a problem you had a conversation with the owner.

MR. MC CARVILLE: I suggest we take no action until there are some things taken care of.

MR. PAGANO: This is our engineer's comments.

MR. VAN LEEUWEN: I am willing to take action if he cleans it up, I'd rather take the action to clean it up than have no action at all.

MR. SQUIRES: We'd like to see ourselves get, you know, rejected here and referred to the Zoning Board so we can deal with the noncompliance on the addition.

MR. MC CARVILLE: On both ends?

MR. SQUIRES: Actually this end is all right.

MR. MC CARVILLE: I don't think this complied either what was the problem why this one couldn't be used for some reason, what was it?

MR. VAN LEEUWEN: The way I understand is that there is a problem with the bulk tables. I have no problem working with you. I come up that road every day to go to my office and I don't let my place get that dirty and it is really shame they can't clean it up. That means 2 or 3 hours worth of work in getting rid of the pallets. Basically, that is all there is to it, a little mowing and a little pick-up papers, cleaning it up.

MR. MC CARVILLE: We will be looking for a good landscaping plan for the premises.

MR. SQUIRES: Oh, yes, I am fully aware of that. I didn't want to pursue that until we knew which way.

MR. VAN LEEUWEN: I will make a motion to approve this site plan, send him to the Zoning Board of Appeals.

MR. PAGANO: I appreciate your motion but I think by allowing this to go to the Zoning Board, whose spectrum is quite narrower than ours, they have to act on what we are giving them, what is going to them and they don't have the ability to enforce that.

MR. VAN LEEUWEN: He gave us his word it would be cleaned up in the next three weeks.

MR. PAGANO: I prefer tabeling this and let the clean up take place and then at the next meeting.

MR. SOUKUP: He has to come back here for site plan approval before he gets a C.O., right?

MR. BABCOCK: Yes.

MR. SOUKUP: He's got to be back in 60, 90 days.

MR. PAGANO: We are giving the Zoning Board, we are chopping the Zoning Board.

MR. VAN LEEUWEN: No, we are not.

MR. SOUKUP: They have to act.

MR. VAN LEEUWEN: No.

MR. PAGANO: We are not--they have to say yes or no.

MR. SOUKUP: Only on the variance they can't give site plan.

MR. KRIEGER: If they say yes, they are not done whether they say yes or no.

MR. SOUKUP: If the Zoning Board approves the setback variance, they have to come back to us for site plan before they can get a C.O. We are not doing anything, we are letting them proceed down the road and a little show of good faith we expect him to do a good job of and 60 days from now we will both know better if he has a chance at the Zoning Board of Appeals and whether he is going to do anything about it.

MR. SQUIRES: I think if you give good faith to the owners of the property, I don't--has Boss Glass been before you on this?

MR. VAN LEEUWEN: No.

MR. SQUIRES: Boss Glass people are trying to buy this and correct the situation, we want to work with you and get this done.

MR. VAN LEEUWEN: Mike, you have been involved with Boss Glass, what's been their response when you have had problems?

MR. BABCOCK: They have done a tremendous amount of work on the interior of the building that we have asked them to do. Right now, what happened was is they have asked me now they want to start on the outside, get some permits too, one of the permits were for the refuse area and what I told them we have to stop at this point. I am not giving them any more building permits until they have a site plan approval for the buildings that are there. The interior of the building was to say the least a disaster until these people came along. They really did alot for the interior for safety reasons at least. Right now, I am just not going to give them another permit on anything until they get approval.

MR. VAN LEEUWEN: How do you feel about giving about giving them three weeks to clean the place up and let them proceed? Do you think they will do it?

MR. BABCOCK: I think if they are told to do it that they have a few weeks to clean up you are going to see something happen.

MR. SQUIRES: I feel they have got two choices and I can't tell which is going to happen. One if they are serious about wanting to pursue, staying here, they will clean it up. If not, I would say that they stand a chance that they will elect to move out and find, relocate their industry. And let the building revert back to the owners or to the bank.

MR. PAGANO: I'd like to see the building taken down, that is one of the best views in the town, it's blocked everything all up.



MR. VAN LEEUWEN: That is besides the point. I made a motion, can we get a second on the motion?

MR. MC CARVILLE: Is there a proxy on file?

MR. PAGANO: I don't know.

MR. EDSALL: I have a record of a proxy being submitted from the owners of the property authorizes Boss Glass to make an application. But I don't have anything from Boss Glass which authorizes Mr. Squires or anyone else to come in and represent them.

MR. SOUKUP: Who is the owner of record?

MR. EDSALL: Wexdel and Smith. I would see the next time you come in to get a proxy.

MR. KRIEGER: I have two comments here. First of all, number one I see that this plan here is denominated a final site plan and I don't want there to be any confusion legally as to what status this plan has that it won't trigger any time periods inadvertently even though it is called a final site plan, they are not in final site plan posture nor are they ready for it nor may the Board legally consider final site plan except for the purpose of voting for the Zoning Board of Appeals. And I just want the record to be clear on that so that--

MR. MC CARVILLE: What we are looking at here is an outdated site plan?

MR. KRIEGER: Second thing is I am hearing a concern from a number of Board members, not only about the state of clean-up of the property now but the state of clean-up of the property as it is going to exist in the future. Let's suppose this goes along and this is approved and a question at least in my mind has been suggested as to what might happen in the future, is it going to revert. I don't think it is now time to be specifically but I would ask the Board in its consideration as to, as the matter goes along and gets closer to a true final site plan to consider the use of an agreement if you want a further obligation beyond the approval, final approval if they ever receive it.

MR. SQUIRES: Would you require that of anybody building a new building because we have new owners here?

MR. KRIEGER: At this point, I can't require it of anybody, it is not my function to require. I am not a voting member of the Board. I asked the Board to consider it and it would be my recommendation that an agreement be at this point be entered into for any new application of any size or any complexity or any visibility and yes so yes it is a recommendation that I plan to make going along, not only for this application but for any

application, whether it is site plan or subdivision in the future. It is large and visible and in which the Board has concerns, long time concerns about the appearance, maintenance, construction, any of the things normally covered. So, no, I am not sigling out Boss Glass for that recommendation at this point.

MR. PAGANO: The first thing I'd like to do is address the final site plan statement on his drawing, it is not a final site plan so please make the change so that it is a preliminary, not final so we are going to have to consider this a preliminary request but not final even though it says final on the drawings.

MR. KRIEGER: And the applicant is being told that the Board is considering it as a preliminary plan.

MR. PAGANO: Second part of Andy's comments would be some sort of an agreement.

MR. VAN LEEUWEN: Let's wait until we get him back from the Zoning Board.

MR. KRIEGER: Specifics can wait until we are further down the road. I am not asking for specifics or have the Board say definitely or not definitely every Member of the Board keep it in the back of your mind as you go along, maybe this is a tool that will become appropriate for this, these downstream concerns. It is only a possibility.

MR. SOUKUP: If any such agreement is requested, it will be limited in scope to those items that are pertinent to the site. I second the motion for approval.

MR. PAGANO: It is not a final site plan, just the plan as filed.

MR. VAN LEEUWEN: It's not filed, it has to go to the Zoning Board.

MR. MC CARVILLE: I don't know if the, I am just questioning if the motion is appropriate. I don't know how to approve it. If you approve it, you escape the ability to get the place cleaned up. If you deny it, you still lose.

MR. VAN LEEUWEN: He's got to go to the Zoning Board.

MR. MC CARVILLE: I realize that.

MR. PAGANO: I will make the statement we are taking a vote now on the motion.

6-27-90

ROLL CALL:

Mr. McCarville	No
Mr. VanLeeuwen	No
Mr. Soukup	No
Mr. Dubaldi	No
Mr. Pagano	Abstain

MR. SOUKUP: And the purpose of the turndown, the four vote turndown was because the building doesn't meet setback requirements by the zone and you got to go to the Zoning Board to get variances resolved. I suggest you get them all resolved while you are there.

MR. VAN LEEUWEN: I suggest you clean it up because they will bring it up.



**W.C. SQUIRES**  
**CONSULTING ENGINEERS**  
COMMERCIAL INDUSTRIAL  
CIVIL STRUCTURAL

November 23, 1990

New Windsor Zoning Board of Appeals  
555 Union Avenue - Town Hall  
New Windsor, NY 12553

Re: Boss Glass Industries  
335 Temple Hill Road  
New Windsor, NY 12553  
WCS No. 89-096

Dear Ladies and Gentlemen:

Boss Glass Industries, Inc. is operating a window manufacturing enterprise out of an existing facility located at 335 Temple Hill Road. Boss Glass is currently renting the facility and would like to exercise its option to purchase it. The facility has a number of Building Code violations that needs to be remedied but cannot because it also lacks a Certificate of Occupancy and cannot be issued a Building Permit to correct violations. An application has been filed with the New Windsor Planning Board, and at a meeting with that board in September, 1990 it was discussed that a number of Zoning Variances would be required to be issued to allow the Planning Board process to continue.

The variances required are (a) a Use Variance for parking, (b) an Area Variance for building front yard offsets, building size and building height. These variances and the reasons why we are applying for them is described below:

1. USE VARIANCE - Request variance from New Windsor Zoning Local Laws, Section 48-11, Table of Bulk Regulations, Column 0 to allow 203 parking spaces rather than 335 required, a variance of 132 parking spaces.

The Zoning Law's requirements for 335 parking spaces creates an unnecessary hardship for the following reason:

- (a) There is insufficient land area available to provide 335 parking spaces and still allow for drives and landscaping.
- (b) The population of the manufacturing facility is not expected to exceed 200 people, and consequently does not require 335 parking spaces.

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November 23, 1990

- (c) The population of the facility is less than what is normally anticipated by zoning area calculations. This is because of a significant amount of warehouse space within the facility. The P. I. Zoning does not recognize warehousing as an item that utilizes less labor and consequently does not allow a reduction in parking requirements to suit the actual usage.
- (d) Prior Planning Board approval allowed for 50 parking places for all but the 7500 S.F. of illegal additions and interior office space. This was based on one parking space for every two employees. Eighty-seven (87) parking spaces were actually provided. Complying with current zoning requirements is akin to having to provide 248 spaces for a 7500 S.F. addition plus office space.

2. AREA VARIANCE - Request variance from New Windsor Zoning Local Law, Section 48-11 Table of Bulk Regulations, Columns E and I and Section 48-21-J to allow increase in maximum building height and to allow building size exceeding 45,000 S.F.

The past expansions of the original building and the uncertain conditions upon which the expansion took place lead us to the desire and need to establish a legal basis for the structures that exist upon this site. The past events have created a practical difficulty for Boss Glass, the current occupants and intended buyers.

Research in to the history of this site was conducted as far back as 1975 through the files of the New Windsor Building Department which yielded the following planning board approval site plans, copies of which are included:

- i. Dexion Manufacturing Co. - Planning Board approval of expansion plans dated June 25, 1975, Building Department file No. 75-15.

This expansion plans was never constructed. The importance of this plan is that it indicates two (2) critical facts:

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November 23, 1990

- (a) At that time only the original masonry building existed with one story office in front.
- (b) The office in front was more than 50 feet from the property line.

- ii. Dexion Division of Interlake, Inc. - Planning Board approval of expansion plans dated August 27, 1975, Building Department file No. 75-26.

This expansion was never constructed. Only importance is to once again establish existence of office building in front.

- iii. Munsey Structural Aluminum, Inc. - Planning Board approval of expansion plans dated November 28, 1984, Building Department file 84-54.

The proposed warehouse addition was constructed. The proposed office was not. It is important to note that the offset from the property line along Temple Hill Road to existing office is dimensioned as 64.38 ft. It is also noteworthy that the approved site plan allowed parking based on one space for two employees yielding 83 spaces to be provided.

- iv. Freedom Road Realty Associates - Planning Board approval of expansion plans dated June 11, 1986 for addition of 600 ft. x 60 ft. proposed warehouse. Warehouse has been constructed.

The offset from Temple Hill Road to the existing office building is dimensioned as 64.4 ft. and parking is approved with 87 spaces being provided and only 50 required - based on one space for every two employees.

Subsequent to June, 1986 the State of New York expanded and upgraded Route 300, Temple Hill Road. In the process lands belonging to Freedom Road Realty were obtained by the State for intersection widening, in effect reducing their front yard.

Now, with the history outlined, the following practical difficulties requiring an Area Variance are outlined.

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New Windsor Zoning Board of Appeals  
November 23, 1990

- (a) Front yard offset along Temple Hill Road from property line to existing office, where 50 feet is required, 49.3 feet is provided and a 0.7 ft. variance is requested.

The practical difficulty comes out of the office originally having the proper offset but the modification to Temple Hill Road and the associated loss of land to the State resulted in an inadequate offset.

- (b) Front yard offset and building height limits along Wembly Road Extension. A 50 foot offset is required. 43.3 feet has been provided and a 6.7 ft. variance is requested. In addition, a maximum building height requirement of 21.65 ft. is exceeded by a 24 ft. high building, therefore a 2.35 ft. variance is requested.

The practical difficulty comes out of this illegal addition, which has been constructed and is occupied and in use. It was constructed by the original owners, not the purchaser, Boss Glass. The request is that the variance be granted because it is occupied and the amount of variance is not great, creates no visual hazard or exposure, and is offset from a private road not a public road.

- (c) This last variance request is also a request for interpretation of New Windsor Zoning Local Law Section 28-5 regarding maximum building size.

The law allows a single building size of 45,000 S.F. in a P.I. Zone, and 126,485 S.F. exists. The approved expansion from 1986 encompasses 118,924 S.F. Can the additional 7561 S.F. constructed be added to a previously granted variance? If not, then a variance for the additional 7561 S.F. is requested on the grounds that it is existing, partially occupied and needed for manufacturing purposes.

The intent of coming before the Zoning Board of Appeals is to take a necessary step towards making this facility legal in order to remedy many Code and site problems. No action can be taken on Boss Glass' part until they can become owners of a legal building. Some of the intended changes include bringing the building up to Code, landscaping, paving, fencing refuse area and upgrading of building's visual appearance. Boss Glass has

Page five  
New Windsor Zoning Board of Appeals  
November 23, 1990

invested itself in this community and would like to demonstrate that its interests lie with the community as a major employer and a good neighbor.

Thank you for the opportunity to present our case to you.

Sincerely,

William C. Squires, P.E.  
W. C. Squires Consulting Engineers

WCS/js



90-16



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 85C-5600

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN OF New Windsor

P/B #        -       

WORK SESSION DATE: 3 April 1990

APPLICANT RESUB.  
REQUIRED: Yes new

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Boss Glass

was  
Insulpane

give to me to  
review for  
agenda

PROJECT STATUS: NEW        OLD       

REPRESENTATIVE PRESENT: Jerry Terdiman; Bud Sherman;

Bill Squires.

TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X (had to leave)  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 1) future parking
- 2) all areas paved?
- 3) addition to Bldg A.
- 4) short EAF
- 5) curbing in front - @ driveways.
- 6) separate landscape plan -
- 7) parking calc
- 8) pre-exist non-conf & variance
- 9) call Bldg A & Bldg B not A, B, C
- 10) go by A-15
- 1) Must I/D all proposed Table
- 2) " " internal uses breakup
- 3) " " 1 & 2 story areas.

need to  
go to 2BA  
on front  
setback



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
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Millford, Pennsylvania 18337  
(717) 296-2765  
(914) 856-5600

16 July 1990

MEMORANDUM

TO: MYRA MASON, P/B SECRETARY *via fax*  
FROM: MARK J. EDSALL, P.E., P/B ENGINEER  
SUBJECT: BOSS GLASS SITE PLAN (90-16)  
ZBA REFERRAL

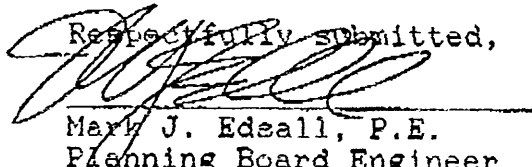
I have reviewed the latest plan submitted for the subject project for the purpose of making the Planning Board's referral to the ZBA pursuant to the 27 June 1990 meeting.

The plan continues to be both incomplete and incorrect and, as such, can not be used for referral to the ZBA. Please note the following:

- 1) The parking calculation which is now provided is wrong; the building is a mixed use and the calculation must provide for both the warehouse area and the office spaces.
- 2) The plan has blank spaces for the areas of the office uses. As previously requested, the sq.ft. areas should be filled-in and used in the parking calculation.
- 3) The value used for the warehouse parking provided is one space/2 employees or 1/1000 sf., whichever is greater. As such, the calculation is wrong.

The above is important to the ZBA referral since it appears that a variance for parking will also be required. Please advise the Applicant of the above.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

cc: Carl Scheifer, P/B Chairman

*Sent copy 7/16/90 @*

BOSS GLASS SITE PLAN - ROUTE 300 (90-16)

Mr. Bill Squires cam before the Board representing this proposal.

MR. SQUIRES: I am here to try and unravel a problem which occurred over a number of years. Boss Glass is the current occupant of the old Insulpane building.

MR. MC CARVILLE: When you say occupant, owner occupant?

MR. SQUIRES: No, they are at this time paying rent. They anticipate to buy the facility but will not buy the facility until the violations that are existing are corrected.

MR. PAGANO: The parking lot will be paved?

MR. SQUIRES: Parking lot will be paved.

MR. PAGANO: Piles of dead wood?

MR. SQUIRES: Will be removed.

MR. MC CARVILLE: I think what we should be looking at, you should have the site cleaned up, it is a disgrace to the Town of New Windsor. The weeds are overgrown, doesn't take much to cut those weeds out of there and keep it looking nice. There is debris from one end of the lot to the other. The westerly end is continously piles of pallets and wood and other debris there on weekends, it is just not maintained at all. WE are here, you want us to help you correct your problems yet nobody seems to be taking care of the property to begin with.

MR. SQUIRES: There is a couple of interesting catch 22's. One being Boss Glass doesn't own the property that impedes certain of the areas they also because they do not have an approved site plan for the various expansions that were done, we cannot get a building permit to construct things like a refuse area to hide the pallets so we are kind of going around with each other.

MR. PAGANO: You don't need a site plan for a rake and a lawn mower.

MR. SOUKUP: How long have they been in there operating?

MR. VAN LEEUWEN: Year and a half.

MR. SQUIRES: Yes.

MR. SOUKUP: Have you seen it in that year and a half or when

they first moved in? Where you familiar with it?

MR. SQUIRES: Yes.

MR. SOUKUP: Do you think that they have done any cleaning up in the year they have been there, they have graded off the front parking lot a little bit.

MR. SQUIRES: I can't say that they have.

MR. SOUKUP: A year is a long time to live with it if they are really interested in cleaning it up.

MR. MC CARVILLE: Being a tenant is no reason to keep the lawn and the building looking like that.

MR. VAN LEEUWEN: We understand that you can't put the parking lot in but I tell you one thing that I would propose, let's go ahead and go to the Zoning Board but we want that place spotless in less than 30 days cleaned up if we don't, don't bother coming back.

MR. PAGANO: I would send him to the Zoning Board with a notice to the Zoning Board unless that place is shaped up that they not act on it.

MR. VAN LEEUWEN: Let's not pussy foot about this damn thing, it is a mess, it is a disgrace. What we are trying to do is clean up the town, not make it worse.

MR. SQUIRES: I think that is what Boss Glass wants to do, they are a, in an awkward position of being a tenant.

MR. SOUKUP: They are not just--plain pallet removed is an operating cost, not a capital cost and they have been there over a year with the same pile that was there when they moved in.

MR. VAN LEEUWEN: They moved the piles.

MR. SOUKUP: Removal is not a capital cost, clean up is not a capital cost, that is an operating cost. They haven't done much of that in a year and a half they have been there.

MR. SOUKUP: Have you been down there?

MR. SQUIRES: Periodically.

MR. VAN LEEUWEN: Do me a favor tonight, make a left out of this driveway and just go down and walk the property. And you come back here and tell me if I am wrong.

MR. SQUIRES: I have been around the property, I know what you are talking about.

MR. SOUKUP: Your plan doesn't reflect the secondary use of the property, there is a tenant as well as them.

MR. SQUIRES: Here, no, there is not tenant in there.

MR. SOUKUP: There was not any?

MR. SQUIRES: There is not anymore.

MR. SOUKUP: I apologize, there was.

MR. SQUIRES: Within that month they have taken that out.

MR. VAN LEEUWEN: We have no problem working with you but they have to work with us, it's been a concern of this Board for the last four years and we told Wexdel the same thing. He'd clean it up and three weeks, a month later, same way it was because there are people sitting out in their cars and they throw the papers on the ground and walk away.

MR. MC CARVILLE: There is not one exterior trash receptacle on the premises. Go out and everything is on the parking lot, it is not policed. The lawn is not even mowed, the weeks aren't even cut, very simple.

MR. VAN LEEUWEN: The wind comes and blows the trash, it is not fair.

MR. MC CARVILLE: We have had this conversation so I--

MR. SQUIRES: There is a problem you had a conversation with the owner.

MR. MC CARVILLE: I suggest we take no action until there are some things taken care of.

MR. PAGANO: This is our engineer's comments.

MR. VAN LEEUWEN: I am willing to take action if he cleans it up, I'd rather take the action to clean it up than have no action at all.

MR. SQUIRES: We'd like to see ourselves get, you know, rejected here and referred to the Zoning Board so we can deal with the noncompliance on the addition.

MR. MC CARVILLE: On both ends?

MR. SQUIRES: Actually this end is all right.

MR. MC CARVILLE: I don't think this complied either what was the problem why this one couldn't be used for some reason, what was it?

MR. VAN LEEUWEN: The way I understand is that there is a problem with the bulk tables. I have no problem working with you. I come up that road every day to go to my office and I don't let my place get that dirty and it is really shame they can't clean it up. That means 2 or 3 hours worth of work in getting rid of the pallets. Basically, that is all there is to it, a little mowing and a little pick-up papers, cleaning it up.

MR. MC CARVILLE: We will be looking for a good landscaping plan for the premises.

MR. SQUIRES: Oh, yes, I am fully aware of that. I didn't want to pursue that until we knew which way.

MR. VAN LEEUWEN: I will make a motion to approve this site plan, send him to the Zoning Board of Appeals.

MR. PAGANO: I appreciate your motion but I think by allowing this to go to the Zoning Board, whose spectrum is quite narrower than ours, they have to act on what we are giving them, what is going to them and they don't have the ability to enforce that.

MR. VAN LEEUWEN: He gave us his word it would be cleaned up in the next three weeks.

MR. PAGANO: I prefer tabeling this and let the clean up take place and then at the next meeting.

MR. SOUKUP: He has to come back here for site plan approval before he gets a C.O., right?

MR. BABCOCK: Yes.

MR. SOUKUP: He's got to be back in 60, 90 days.

MR. PAGANO: We are giving the Zoning Board, we are chopping the Zoning Board.

MR. VAN LEEUWEN: No, we are not.

MR. SOUKUP: They have to act.

MR. VAN LEEUWEN: No.

MR. PAGANO: We are not--they have to say yes or no.

MR. SOUKUP: Only on the variance they can't give site plan.

MR. KRIEGER: If they say yes, they are not done whether they say yes or no.

MR. SOUKUP: If the Zoning Board approves the setback variance, they have to come back to us for site plan before they can get a C.O. We are not doing anything, we are letting them proceed down the road and a little show of good faith we expect him to do a good job of and 60 days from now we will both know better if he has a chance at the Zoning Board of Appeals and whether he is going to do anything about it.

MR. SQUIRES: I think if you give good faith to the owners of the property, I don't--has Boss Glass been before you on this?

MR. VAN LEEUWEN: No.

MR. SQUIRES: Boss Glass people are trying to buy this and correct the situation, we want to work with you and get this done.

MR. VAN LEEUWEN: Mike, you have been involved with Boss Glass, what's been their response when you have had problems?

MR. BABCOCK: They have done a tremendous amount of work on the interior of the building that we have asked them to do. Right now, what happened was is they have asked me now they want to start on the outside, get some permits too, one of the permits were for the refuse area and what I told them we have to stop at this point. I am not giving them any more building permits until they have a site plan approval for the buildings that are there. The interior of the building was to say the least a disaster until these people came along. They really did alot for the interior for safety reasons at least. Right now, I am just not going to give them another permit on anything until they get approval.

MR. VAN LEEUWEN: How do you feel about giving about giving them three weeks to clean the place up and let them proceed? Do you think they will do it?

MR. BABCOCK: I think if they are told to do it that they have a few weeks to clean up you are going to see something happen.

MR. SQUIRES: I feel they have got two choices and I can't tell which is going to happen. One if they are serious about wanting to pursue, staying here, they will clean it up. If not, I would say that they stand a chance that they will elect to move out and find, relocate their industry. And let the building revert back to the owners or to the bank.

MR. PAGANO: I'd like to see the building taken down, that is one of the best views in the town, it's blocked everything all up.

MR. VAN LEEUWEN: That is besides the point. I made a motion, can we get a second on the motion?

MR. MC CARVILLE: Is there a proxy on file?

MR. PAGANO: I don't know.

MR. EDSALL: I have a record of a proxy being submitted from the owners of the property authorizes Boss Glass to make an application. But I don't have anything from Boss Glass which authorizes Mr. Squires or anyone else to come in and represent them.

MR. SOUKUP: Who is the owner of record?

MR. EDSALL: Wexdel and Smith. I would see the next time you come in to get a proxy.

MR. KRIEGER: I have two comments here. First of all, number one I see that this plan here is denominated a final site plan and I don't want there to be any confusion legally as to what status this plan has that it won't trigger any time periods inadvertently even though it is called a final site plan, they are not in final site plan posture nor are they ready for it nor may the Board legally consider final site plan except for the purpose of voting for the Zoning Board of Appeals. And I just want the record to be clear on that so that--

MR. MC CARVILLE: What we are looking at here is an outdated site plan?

MR. KRIEGER: Second thing is I am hearing a concern from a number of Board members, not only about the state of clean-up of the property now but the state of clean-up of the property as it is going to exist in the future. Let's suppose this goes along and this is approved and a question at least in my mind has been suggested as to what might happen in the future, is it going to revert. I don't think it is now time to be specifically but I would ask the Board in its consideration as to, as the matter goes along and gets closer to a true final site plan to consider the use of an agreement if you want a further obligation beyond the approval, final approval if they ever receive it.

MR. SQUIRES: Would you require that of anybody building a new building because we have new owners here?

MR. KRIEGER: At this point, I can't require it of anybody, it is not my function to require. I am not a voting member of the Board. I asked the Board to consider it and it would be my recommendation that an agreement be at this point be entered into for any new application of any size or any complexity or any visibility and yes so yes it is a recommendation that I plan to make going along, not only for this application but for any



application, whether it is site plan or subdivision in the future. It is large and visible and in which the Board has concerns, long time concerns about the appearance, maintenance, construction, any of the things normally covered. So, no, I am not sigling out Boss Glass for that recommendation at this point.

MR. PAGANO: The first thing I'd like to do is address the final site plan statement on his drawing, it is not a final site plan so please make the change so that it is a preliminary, not final so we are going to have to consider this a preliminary request but not final even though it says final on the drawings.

MR. KRIEGER: And the applicant is being told that the Board is considering it as a preliminary plan.

MR. PAGANO: Second part of Andy's comments would be some sort of an agreement.

MR. VAN LEEUWEN: Let's wait until we get him back from the Zoning Board.

MR. KRIEGER: Specifics can wait until we are further down the road. I am not asking for specifics or have the Board say definitely or not definitely every Member of the Board keep it in the back of your mind as you go along, maybe this is a tool that will become appropriate for this, these downstream concerns. It is only a possibility.

MR. SOUKUP: If any such agreement is requested, it will be limited in scope to those items that are pertinent to the site. I second the motion for approval.

MR. PAGANO: It is not a final site plan, just the plan as filed.

MR. VAN LEEUWEN: It's not filed, it has to go to the Zoning Board.

MR. MC CARVILLE: I don't know if the, I am just questioning if the motion is appropriate. I don't know how to approve it. If you approve it, you escape the ability to get the place cleaned up. If you deny it, you still lose.

MR. VAN LEEUWEN: He's got to go to the Zoning Board.

MR. MC CARVILLE: I realize that.

MR. PAGANO: I will make the statement we are taking a vote now on the motion.

6-27-90

ROLL CALL:

Mr. McCarville	No
Mr. VanLeeuwen	No
Mr. Soukup	No
Mr. Dubaldi	No
Mr. Pagano	Abstain

MR. SOUKUP: And the purpose of the turndown, the four vote turndown was because the building doesn't meet setback requirements by the zone and you got to go to the Zoning Board to get variances resolved. I suggest you get them all resolved while you are there.

MR. VAN LEEUWEN: I suggest you clean it up because they will bring it up.

ZONING BOARD OF APPEALS  
Regular Meeting  
October 22, 1990

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of 9/24/90 meeting as written.

TABLE

SET UP  
FOR  
PUBLIC  
HEARING

SET UP  
FOR  
PUBLIC  
HEARING

SET UP  
FOR  
PUBLIC  
HEARING

1. ✓ BOAST, RYAN - Request for variance to permit addition to nonconforming garage located at 33 Meriline Avenue in an R-4 zone.

2. DUFFER'S HIDE-A-WAY - Request for 13.31 <sup>ACRES</sup> lot area variance for accessory use (caretaker's apartment) at outdoor recreational facility. Present: Jerry Impellitiere. Referred by Planning Board. (P.B.) AND ~~HEIGHT~~ <sup>FIVE FEET</sup>

3. / 132 BOSS GLASS INDUSTRIES - Request for 6.7 ft. front yard and ~~233~~ parking space variance for an existing building located at 335 Temple Hill Road in a Planned Industrial (PI) zone. Present: William Squires, P. E. (P.B.)

4. DENHOFF DEVELOPMENT CORP.-Request for (1) ~~23.34 ft. maximum~~ bldg. height variance for building and (2) 38.34 ft. maximum bldg. height for clock tower for construction of commercial mini-mall on NYS Rt. 32 (front portion of Calvet Tool Rental property) in C zone. Present: Greg Shaw, P.E. (Ref. by P.B.) (P.B.)

PUBLIC HEARING:

APPROVED 5. ✓ DI DONATO, EDNA - Request for 7 ft. side yard and 8 ft. rear yard to install a storage shed on property located at 18 Clancy Avenue in an R-4 zone.

TABLE

6. ✓ BENGHA, JOSEPH - Request for 11 ft. frontyard variance to construct addition including deck to residence at 17 Valley View Drive in Beaver Dam Lake - R-4 zone.

APPROVED 7. ✓ HAIGHT, ROBERT R. - Request for 7,275 s.f. lot area and 25 ft. lot width for construction of single family residential dwelling on Windsor Terrace in R-4 zone. Present: Lawrence X. Kennedy, Esq.

FORMAL DECISIONS: (1) BOTHWELL APPROVED

PAT 565-8550 (O)  
562-7107 (H)

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/27/90

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 90-16

NAME: BOSS GLASS INDUSTRIES FACILITY  
APPLICANT: BOSS GLASS INDUSTRIES

	ISS-DATE	AGENCY-----	RESP-DATE	ACTION-----
ORIG	06/07/90	MUNICIPAL HIGHWAY	/ /	
ORIG	06/07/90	MUNICIPAL WATER	06/08/90	APPROVED
ORIG	06/07/90	MUNICIPAL SEWER	/ /	
ORIG	06/07/90	MUNICIPAL SANITARY	06/08/90	APPROVED
ORIG	06/07/90	MUNICIPAL FIRE	06/12/90	APPROVED
ORIG	06/07/90	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/27/90

PAGE: 1

LISTING OF PLANNING BOARD FEES  
MUNICIPAL CHARGES

FOR PROJECT NUMBER: 90-16

NAME: BOSS GLASS INDUSTRIES FACILITY  
APPLICANT: BOSS GLASS INDUSTRIES

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/06/90	APPLICATION FEE	CHG	25.00		
04/06/90	APPLICATION FEE	PAID		25.00	
		TOTAL:	25.00	25.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/27/90

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW ACCOUNT

FOR PROJECT NUMBER: 90-16

NAME: BOSS GLASS INDUSTRIES FACILITY  
APPLICANT: BOSS GLASS INDUSTRIES

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/06/90	SITE PLAN MINIMUM	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

BOARD OF APPEALS  
ORGANIZATIONAL SESSION  
JANUARY 14, 1991

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of the November 26th and December 10, 1990 meeting as written.

PRELIMINARY MEETING:

ET UP FOR  
PUBLIC  
HEARING 1. EVANS, JOHN N. - Request for extension of pre-existing non-conforming equipment garage located in R-4 zone. Area and possibly use variances required.

ET UP FOR  
PUBLIC  
HEARING 2. ANTONELLI, FRANK - Request for 98 s.f. sign area variance for existing stores at 170A Windsor Highway in NC zone.

PUBLIC HEARING:

SHOW 3. WAXTEL/BOSS GLASS - Request for 6.7/0.7 ft. front yard, 2.35 ft. maximum bldg. height and 132 parking space variances in order to operate a window manufacturing facility at 335 Temple Hill Road in a PI zone. Present: William Squires, P.E.

APPROVED 4. PAIGE, CLIFFORD - Request for 7 ft. sideyard variance to construct addition to residential dwelling located at 21 Knox Drive in an R-4 zone.

APPROVED 5. BABCOCK, KENNETH - Request for 80 s.f. sign area, 5 ft. sign height and 11 ft. setback to replace existing sign located on Temple Hill Road in C zone.

\* \* \*

FORMAL DECISIONS: (1) DUFFER'S HIDE-A-WAY  
(2) DENHOFF DEVELOPMENT CORP.

2 NEXT MEETING

\* \* \*

REORGANIZE:

Motion to appoint (1) CHAIRMAN, (2) VICE CHAIRMAN, (3) ATTORNEY, (4) SECRETARY, and (5) RECORDING SECRETARY.

PAT - 565-8550 (C)  
562-7107 (H)

Orig  
JUN -7 1990

90 - 16

The maps and plans for the Site Approval ✓

If disapproved, please list reason \_\_\_\_\_

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

9-4-90

DATE \_\_\_\_\_

CC:ME.



**W.C. SQUIRES**  
**CONSULTING ENGINEERS**  
COMMERCIAL INDUSTRIAL  
CIVIL STRUCTURAL

November 23, 1990

New Windsor Zoning Board of Appeals  
555 Union Avenue - Town Hall  
New Windsor, NY 12553

Re: Boss Glass Industries  
335 Temple Hill Road  
New Windsor, NY 12553  
WCS No. 89-096

Dear Ladies and Gentlemen:

Boss Glass Industries, Inc. is operating a window manufacturing enterprise out of an existing facility located at 335 Temple Hill Road. Boss Glass is currently renting the facility and would like to exercise its option to purchase it. The facility has a number of Building Code violations that needs to be remedied but cannot because it also lacks a Certificate of Occupancy and cannot be issued a Building Permit to correct violations. An application has been filed with the New Windsor Planning Board, and at a meeting with that board in September, 1990 it was discussed that a number of Zoning Variances would be required to be issued to allow the Planning Board process to continue.

The variances required are (a) a Use Variance for parking, (b) an Area Variance for building front yard offsets, building size and building height. These variances and the reasons why we are applying for them is described below:

1. **USE VARIANCE** - Request variance from New Windsor Zoning Local Laws, Section 48-11, Table of Bulk Regulations, Column 0 to allow 203 parking spaces rather than 335 required, a variance of 132 parking spaces.

The Zoning Law's requirements for 335 parking spaces creates an unnecessary hardship for the following reason:

- (a) There is insufficient land area available to provide 335 parking spaces and still allow for drives and landscaping.
- (b) The population of the manufacturing facility is not expected to exceed 200 people, and consequently does not require 335 parking spaces.



Page two  
New Windsor Zoning Board of Appeals  
November 23, 1990

- (c) The population of the facility is less than what is normally anticipated by zoning area calculations. This is because of a significant amount of warehouse space within the facility. The P. I. Zoning does not recognize warehousing as an item that utilizes less labor and consequently does not allow a reduction in parking requirements to suit the actual usage.
- (d) Prior Planning Board approval allowed for 50 parking places for all but the 7500 S.F. of illegal additions and interior office space. This was based on one parking space for every two employees. Eighty-seven (87) parking spaces were actually provided. Complying with current zoning requirements is akin to having to provide 248 spaces for a 7500 S.F. addition plus office space.

2. AREA VARIANCE - Request variance from New Windsor Zoning Local Law, Section 48-11 Table of Bulk Regulations, Columns E and I and Section 48-21-J to allow increase in maximum building height and to allow building size exceeding 45,000 S.F.

The past expansions of the original building and the uncertain conditions upon which the expansion took place lead us to the desire and need to establish a legal basis for the structures that exist upon this site. The past events have created a practical difficulty for Boss Glass, the current occupants and intended buyers.

Research in to the history of this site was conducted as far back as 1975 through the files of the New Windsor Building Department which yielded the following planning board approval site plans, copies of which are included:

- i. Dexion Manufacturing Co. - Planning Board approval of expansion plans dated June 25, 1975, Building Department file No. 75-15.

This expansion plans was never constructed. The importance of this plan is that it indicates two (2) critical facts:

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- (a) At that time only the original masonry building existed with one story office in front.
- (b) The office in front was more than 50 feet from the property line.

- ii. Dexion Division of Interlake, Inc. - Planning Board approval of expansion plans dated August 27, 1975, Building Department file No. 75-26.

This expansion was never constructed. Only importance is to once again establish existence of office building in front.

- iii. Munsey Structural Aluminum, Inc. - Planning Board approval of expansion plans dated November 28, 1984, Building Department file 84-54.

The proposed warehouse addition was constructed. The proposed office was not. It is important to note that the offset from the property line along Temple Hill Road to existing office is dimensioned as 64.38 ft. It is also noteworthy that the approved site plan allowed parking based on one space for two employees yielding 83 spaces to be provided.

- iv. Freedom Road Realty Associates - Planning Board approval of expansion plans dated June 11, 1986 for addition of 600 ft. x 60 ft. proposed warehouse. Warehouse has been constructed.

The offset from Temple Hill Road to the existing office building is dimensioned as 64.4 ft. and parking is approved with 87 spaces being provided and only 50 required - based on one space for every two employees.

Subsequent to June, 1986 the State of New York expanded and upgraded Route 300, Temple Hill Road. In the process lands belonging to Freedom Road Realty were obtained by the State for intersection widening, in effect reducing their front yard.

Now, with the history outlined, the following practical difficulties requiring an Area Variance are outlined.

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- (a) Front yard offset along Temple Hill Road from property line to existing office, where 50 feet is required, 49.3 feet is provided and a 0.7 ft. variance is requested.

The practical difficulty comes out of the office originally having the proper offset but the modification to Temple Hill Road and the associated loss of land to the State resulted in an inadequate offset.

- (b) Front yard offset and building height limits along Wembly Road Extension. A 50 foot offset is required. 43.3 feet has been provided and a 6.7 ft. variance is requested. In addition, a maximum building height requirement of 21.65 ft. is exceeded by a 24 ft. high building, therefore a 2.35 ft. variance is requested.

The practical difficulty comes out of this illegal addition, which has been constructed and is occupied and in use. It was constructed by the original owners, not the purchaser, Boss Glass. The request is that the variance be granted because it is occupied and the amount of variance is not great, creates no visual hazard or exposure, and is offset from a private road not a public road.

- (c) This last variance request is also a request for interpretation of New Windsor Zoning Local Law Section 28-5 regarding maximum building size.

The law allows a single building size of 45,000 S.F. in a P.I. Zone, and 126,485 S.F. exists. The approved expansion from 1986 encompasses 118,924 S.F. Can the additional 7561 S.F. constructed be added to a previously granted variance? If not, then a variance for the additional 7561 S.F. is requested on the grounds that it is existing, partially occupied and needed for manufacturing purposes.

The intent of coming before the Zoning Board of Appeals is to take a necessary step towards making this facility legal in order to remedy many Code and site problems. No action can be taken on Boss Glass' part until they can become owners of a legal building. Some of the intended changes include bringing the building up to Code, landscaping, paving, fencing refuse area and upgrading of building's visual appearance. Boss Glass has

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invested itself in this community and would like to demonstrate that its interests lie with the community as a major employer and a good neighbor.

Thank you for the opportunity to present our case to you.

Sincerely,

William C. Squires, P.E.  
W. C. Squires Consulting Engineers

WCS/js

BOSS.PB

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 12 June 1990

SUBJECT: Boss Glass Industries, Inc.

PLANNING BOARD REFERENCE NUMBER: PB-90-16

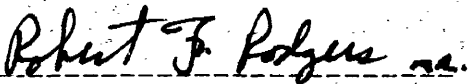
DATED: 7 June 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-055

A review of the above mentioned subject site plan was conducted on 12 June 1990.

This site plan is acceptable.

PLANS DATED: 13 April 1990.

  
Robert F. Rodgers; CCA  
Fire Inspector

RR:mr  
Att.

✓  
CC:M.E.

Orig.  
90-<sup>1</sup>T6

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by  
W.C. Squires for the building or subdivision of  
Boss Glass Industries, Inc. has been  
reviewed by me and is approved ☒  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

*Samuel D. Masten Jr.*  
SANITARY SUPERINTENDENT

June 8, 1990  
DATE

CC: M.E.

Orig  
JUN -7 1990

90-16

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,  
D.O.T., O.C.H., O.C.P., D.P.W., ~~SEWER~~, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Wm. C. Squire \_\_\_\_\_ for the building or subdivision of

Buss Glass Ind. \_\_\_\_\_ has been

reviewed by me and is approved ☒

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

water is available in this area.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

*Stan Dido*  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

✓  
CC: H.E.

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

(This is a two-sided form)

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,  
OR LOT LINE CHANGE APPROVAL

1. Name of Project Boss Glass Industries' Facility Site Plan
2. Name of Applicant Boss Glass Industries Phone 562-8500  
Address 335 Temple Hill Road New Windsor New York 12550  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Robert Waxtel Phone \_\_\_\_\_  
Address Ridge Road Cornwall New York 12518  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan William Squires, P.E. Phone 561-3299  
Address 11 Ashwood Terrace Newburgh New York 12550  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney N/A Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting William Squires, P.E. Phone 561-3299  
(Name)
7. Location: On the West side of Temple Hill Road  
(Street)  
\_\_\_\_\_ feet at intersection with Union Avenue  
(Direction)  
of \_\_\_\_\_  
(Street)
8. Acreage of Parcel 9.55 Ac. 9. Zoning District PI
10. Tax Map Designation: Section 4 Block 3 Lot 10.12
11. This application is for \_\_\_\_\_ Site Plan Approval

Commission Expires November 30, 1990  
Noted in Orange County  
County Public Health Officer  
JUN 14 1990



12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name \_\_\_\_\_

13. List all contiguous holdings in the same ownership NONE  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Robert Waxtel and Edward Smith being duly sworn, deposes and says that they reside at Ridge Rd., Cornwall, NY & P.O. Box 255, Wallkill, NY, respectively in the County of Orange and State of New York and that they are ~~the owner in fee~~ of are General Partners of Freedom Road Realty Associates (Official Title) ~~of the Corporation~~ which is the Owner in fee of the premises described in the foregoing application and that they have authorized Boss Glass Industries, Inc. to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

FREEDOM ROAD REALTY ASSOCIATES

BY: [Signature] (Owner's Signature) Robert Waxtel

AND  
BY: [Signature] (Applicant's Signature) Edward Smith

31st day of May 1989

Maria F. Melchior  
Notary Public

General Partners  
(Title)

MARIA F. MELCHIOR  
Notary Public, State of New York  
No. 7000220  
Qualified in Orange County  
Commission Expires November 30, 1990

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title              | 29. <input checked="" type="checkbox"/> Curbing Locations      |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)          | 30. <input checked="" type="checkbox"/> Curbing Through        |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)      | Section  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name    | 31. <input checked="" type="checkbox"/> Catch Basin Locations  |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input checked="" type="checkbox"/> Catch Basin Through    |
| 6. <input checked="" type="checkbox"/> Drawing Date                 | Section  |
| 7. <input checked="" type="checkbox"/> Revision Dates               | 33. <input checked="" type="checkbox"/> Storm Drainage         |
|   | 34. <input checked="" type="checkbox"/> Refuse Storage         |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET               | 35. <input checked="" type="checkbox"/> Other Outdoor Storage  |
| 9. <input checked="" type="checkbox"/> Site Designation             | 36. <input checked="" type="checkbox"/> Water Supply           |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet  | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| of Site   |  |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)  | 38. <input checked="" type="checkbox"/> Fire Hydrants          |
| 12. <input checked="" type="checkbox"/> PLOT PLAN                   | 39. <input checked="" type="checkbox"/> Building Locations     |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)  | 40. <input checked="" type="checkbox"/> Building Setbacks      |
| 14. <input checked="" type="checkbox"/> Metes and Bounds            | 41. <input checked="" type="checkbox"/> Front Building         |
| 15. <input checked="" type="checkbox"/> Zoning Designation          | Elevations   |
| 16. <input checked="" type="checkbox"/> North Arrow                 | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners    | 43. <input checked="" type="checkbox"/> Sign Details           |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET       |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas        | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation         | 100 sq. ft.)   |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
|   | ft.)   |
| <u>PROPOSED IMPROVEMENTS</u>  | 47. <input checked="" type="checkbox"/> Building Coverage (%   |
| 22. <input checked="" type="checkbox"/> Landscaping                 | of Total Area)   |
| 23. <input checked="" type="checkbox"/> Exterior Lighting           | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening                   | Ft.)   |
| 25. <input checked="" type="checkbox"/> Access & Egress             | 49. <input checked="" type="checkbox"/> Pavement Coverage (%   |
| 26. <input checked="" type="checkbox"/> Parking Areas               | of Total Area)   |
| 27. <input checked="" type="checkbox"/> Loading Areas               | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.)   |
| 28. <input checked="" type="checkbox"/> Paving Details              | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27)   | Area)  |
|   | 52. <input checked="" type="checkbox"/> No. of Parking Spaces  |
|   | Proposed.  |
|   | 53. <input checked="" type="checkbox"/> No. of Parking         |
|   | Required.  |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: William C. [Signature]  
Licensed Professional

Date: 6/7/90

PROJECT I.D. NUMBER

617.21

90-16  
SEQR

## Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Boss Glass Industries, Inc.		2. PROJECT NAME Manufacturing Facility	
3. PROJECT LOCATION: Municipality New Windsor		County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 335 Temple Hill Road, New Windsor, NY 12250 Located at the intersection of Temple Hill Road and Union Avenue in the town of New Windsor			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: Paving, landscaping and structure modifications necessary to bring existing facility into compliance with codes.			
7. AMOUNT OF LAND AFFECTED: Initially 9.55 Ac. acres Ultimately 9.55 Ac. acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly Existing facility exceeds some setback and height restrictions set by New Windsor Zoning Regulations.			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Site is part of area that is generally zoned PI - Planned Industrial.			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: BOSS GLASS INDUSTRIES		Date: 6/7/90	
Signature: William C. Squire		Eng'g for Applicant	
WILLIAM SQUIRE			

If the action is in the Coastal Area, and you are a state agency, complete the  
Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> <span style="float: right;">If yes, coordinate the review process and use the FULL EAF.</span>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b> <span style="float: right;">If No, a negative declaration may be superseded by another involved agency.</span>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b>	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.	
<b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)
_____ Date	

JUN - 7 1990

## PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Robert Waxtel and Edward Smith, deposes and says that they  
reside at Ridge Rd., Cornwall, NY & Box 255, Wallkill, NY, respectively  
(Owner's Address)  
in the County of Orange  
and State of New York  
are General Partners of Freedom Road Realty Associates,  
and that they are the owner in fee of \_\_\_\_\_

~~which is~~ the premises described in the foregoing application and  
that he has authorized Boss Glass Industries, Inc.  
to make the foregoing application as described therein.

Date: May 31, 1990

FREEDOM ROAD REALTY ASSOCIATES

BY: [Signature]  
(Owner's Signature) Robert Waxtel  
BY: [Signature]  
Edward Smith  
[Signature]  
(Witness' Signature)